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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,045	05/09/2001	Shoji Kawamura	OOCL-60 (US-P1442)	5075

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EXAMINER

PHAM, THIERRY L

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/853,045	Applicant(s) KAWAMURA ET AL.	
	Examiner Thierry L Pham	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/9/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- This action is responsive to the following communication: Non-Provisional application filed on 5/9/201.
- Claims 1-19 are pending in application.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: A stand-alone printer device for printing images from detachable memory devices.

Claim Objections

Claims 7, 13-14 are objected to because of the following informalities: spaces are needed between words/terms. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "said print control information" in lines 4-5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for

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patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 13-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoshino et al (US 6469770).

Regarding claim 1, Hoshino discloses a printer device (stand-alone printer 100 includes LCD 120 and removable storage medium 111, fig. 13) capable of printing image information photographed with an electronic photograph device (removable memory device 111 contains photographed images, fig. 13), comprising:

- mode setting means (LCD 120 of fig. 13 includes mode settings for setting control mode as shown in figs. 5-12) capable of setting a print control mode (i.e. print mode settings, fig. 11) in which said image information is printed based on said print control information (i.e. number of prints to be printed for a particular image/frame, figs. 4-12) written corresponding to said image information;
- distinguishing means (CPU 141 for reading memory card 111 and to distinguish index images stored in memory card 111, fig. 13) for distinguishing a frame number (distinguishing individual index images as shown in fig. 4, col. 3, lines 25-28) to which said print control information is written (designating number of prints to be printed for a particular index image, fig. 12, for example, "triple prints") and a frame number to which said print control information is not written (i.e. method of selecting picture 94 allows users to select a specific frame to be printed, i.e. "select" option as shown in fig. 12 and also see figs. 5-6 for displaying all the frames and not all the frames will be printed due to user's option) when said print control mode is set;
- calculating means (control unit 140, fig. 13, and please notes control unit 13 is for controlling an entire operation of an image forming apparatus, therefore, any inputs from LCD 120 for designating numbers of prints to be printed is controlled via control unit 140) for calculating a total number of prints (total number of prints to be printed, fig. 6, col. 7, lines 32-42) to be printed from said number of prints set in said respective frame numbers distinguished as having said print control information written therein; and
- display means (LC D 120 of fig. 13 includes display unit for displaying information as shown in fig. 4) for displaying said total number of prints (total number of prints, fig. 6) calculated

when said print control mode is set, and displaying a message (display unit of LCD 120 displaying variety of messages including print control mode settings as shown in figs. 3-12) that said print control mode is not set when said print control mode is not set (displaying types of print mode is set and/or not set as shown in figs. 11-12).

Regarding claim 2, Hoshino further discloses a printer device according to claim 1, wherein said image information and said print control information are stored in a storage medium which is freely attachable/detachable in said printer device (removable memory device 111, fig. 13).

Regarding claim 13, Hoshino discloses a printer device (stand-alone printer 100 includes LCD 120 and removable storage medium 111, fig. 13), comprising:

- mode setting means (LCD 120 of fig. 13 includes mode settings for setting control mode as shown in figs. 5-12) for setting a print control mode in which print control information (i.e. number of prints, figs. 4-12) written corresponding to image information is read;
- judging means (CPU 141, fig. 13) for judging whether or not a frame in which said image information and said print control information are written exists (designating number of prints to be printed for a particular frame 95, fig. 12) when said print control mode is set (i.e. method of selecting picture 94 allows users to select a specific frame to be printed, i.e. “select” option as shown in fig. 12 and also see figs. 5-6 for displaying all the frames and not all the frames will be printed due to user’s option);
- display means (LCD 120, fig. 13) capable of displaying at least information of printing; and
- display control means (LCD 120, fig. 13) for making said display means display a message that said print control information is not set in any frame when said judging means judges that said print control information is not set in any frame (displaying types of print mode is set and/or not set as shown in figs. 11-12).

Regarding claim 14, Hoshino further discloses a printer device according to claim 13, wherein image information photographed with said electronic photograph device and said print control information set corresponding to said predetermined image information are stored in a

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storage medium which is freely attachable/detachable (removable storage device, fig. 13) in said printer device.

Regarding claim 15, Hoshino further discloses a printer device according to claim 13, wherein said display control means makes said display means display a message that said print control information is not set in any frame by means of a character display employing a 7 segment display (LCD 120, fig. 13) method. Please note: 7-segment display is wide available in the art.

Regarding claim 16, Hoshino further discloses a printer device according to claim 13, wherein said display control means makes said display means display numeral "0" when said print control information is not set in any frame (any frame is not configured to be printed is set as "0", fig. 6, please notes that each picture/frame can be configured separately as shown in figs. 4-12).

Regarding claim 17, Hoshino further discloses a printer device according to claim 13, wherein said display control means makes said display means display "DPOF" (figs. 4-12 are for digital prints format for printing digital image data) in accordance with said setting a mode to said print control mode.

Regarding claim 18, Hoshino further discloses a printer device according to claim 13, wherein said print control information is information on a number of prints (total prints corresponding to a selected frame, figs. 4-12) recoded corresponding to said frame.

Regarding claim 19, Hoshino further discloses a printer device according to claim 13, wherein said part in which a message that said print control mode is not set is displayed is said same part in which number of prints to be printed is displayed in said display means (figs. 4-12 show both frames to be printed and frames are not be printed).

Claims 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Parulski et al (US 6573927).

Regarding claims 10, Parulski discloses a printer device (walk-up kiosk 16, fig. 1b) capable of printing image information based on print control information written corresponding to said image information (i.e. print order utilization file contains number of total prints to be printed for each image file, appendix II, col. 9) photographed with an electronic photograph device (photographed by a digital camera 12, fig. 1a), comprising:

- mode setting means (user buttons of walk-up kiosk, fig. 1b) capable of setting a print control mode (user buttons for selecting print order files within removable memory device, fig. 1b, and inherently, user buttons allowing users to manipulate the print order before printing) in which print control information (i.e. print order utilization file contains number of total prints to be printed for each image file, appendix II, col. 9) written corresponding to said image information is read;
- judging means (inherently, walk-up kiosk includes a judging means for reading and judging which frame is programmed to be printed in the utilization file, appendix I-II, cols. 6-9 and col. 3, lines 65-67 and col. 6, lines 18-45) for judging whether or not a frame in which predetermined print control information is written exists (fig. 5 shows an example of three images data within an printer order “utilization file”, wherein image #2 does not need to be printed, col. 6, lines 28-45 and see appendix II) when said print control mode is set; and
- display control means (info display within the walk-up kiosk, fig. 1b) for displaying a message that said print control information is not set in any frame when said judging means judges that said print control information is not set to any frame (utilization file contains print control information is not set for frame #2, col. 6, lines 28-45 and print control information is set for frame #3, and example of print control is “quantity” to be printed, fig. 5 and appendix II).

Please also notes: utilization file stored in removable memory card can be also be sent to print provider and/or print at home's printer.

Regarding claim 11, Parulski further discloses a printer device according to claim 10, wherein said print control information is information in which a number of prints (i.e., "one copy of image 4", appendix II, col. 9) is set corresponding to image information of said respective frames.

Regarding claim 12, Parulski further discloses a printer device according to claim 10, wherein said image information photographed with said electronic photograph device and said print control information set corresponding to said predetermined image information are stored in a storage medium which is freely attachable/detachable (removable memory card 36, fig. 1a and such memory card is readable by walk-up kiosk 16 and/or printer 48, col. 3, lines 65+) in said printer device.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoshino et al as described in claim 1 above, and further in view of Kubo (US 4383277).

Regarding claim 3, Hoshino discloses a printer device with a display means for displaying plurality of message including total prints, but fails to explicitly disclose wherein a printer device including a calculating means subtract total number of prints to be printed along with said progress of said print operation, and said display means displays that a countdown is made with respect to said value of said subtracted number of prints.

Kubo, in the same field of printing, teaches a printer device (copy machine 12, fig. 2) including a calculating means (copy machine 12 includes a total counter and a copy number register 32, fig. 3) subtract total number of prints to be printed along with said progress of said print operation (copy number register 32 decrements each time a page is printed from a total

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prints, col. 3, lines 60-65). Please notes: it is known in the art that printers, and copy machines include a counter for counting total pages and/or remaining pages of a print job.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made by modifying printer device of Hoshino to include a counter as taught by Kubo for counting pages printed and/or remaining pages to be printed because of a following reason: (●) to accurately monitor the job progress, i.e., how many pages have been printed and/or how many pages are remaining to be printed. Therefore, it would have been obvious to combine Hoshino with Kubo to obtain the invention as specified in claim 3.

Regarding claim 4, Kubo further discloses a printer device according to claim 3, wherein said calculating means subtracts (decrements each time a page is printed from a total prints, col. 3, lines 60-65) said number of prints to be printed in a timing when said recording paper is discharged after said completion of printing or in a timing when said recording paper is taken in prior to printing.

Regarding claim 5, the combinations of Hoshino and Kubo teaches a printer device according to claim 1, wherein said image information and said print control information are stored in a storage medium which is freely attachable/detachable (removable storage media 111, fig. 13, Hoshino) in said printer device, said calculating means calculates said total number (total number of prints, fig. 6) of prints to be printed based on said print control information stored in said storage medium and subtracts ((decrements each time a page is printed from a total prints, col. 3, lines 60-65 as taught by Kubo) said number of prints to be printed along with said progress of said print operation, and said display means displays (LCD as shown in fig. 13, Hoshino) that the countdown is made with respect to said value of said subtracted number prints.

Regarding claim 6, Kubo further teaches a printer device according to claim 5, wherein said calculating means subtracts (decrements each time a page is printed from a total prints, col. 3, lines 60-65) said number of prints to be printed in a timing when said recording paper is discharged after said completion of printing or in a timing when said recording paper is taken in prior to printing.

Regarding claim 7, Kubo further teaches a printer device according to claim 1, wherein a part in which a message that said print control mode is not set is displayed is said same part in which said frame number displayed in said display means a subtracted (decrements each time a page is printed from a total prints, col. 3, lines 60-65) print value and total number of prints to be printed are displayed. Please see Hoshino for displays means as shown in figs. 5-12.

Regarding claims 8-9, Hoshino further teaches a printer device according to claim 3, wherein said calculating means redispays (LCD 120 for redisplaying the previous total prints, fig. 13, it is also known the art that printers, copy machine includes a LCD for displaying a previous total print number) said total number of prints to be printed instead of said subtracted print value after said printing all pages is finished.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US 6426801 to Reed, discloses a stand-alone printer including removable/detachable drives for reading photographed images from removable memory cards.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (571) 2727439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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